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FILING DATE: 02/28/02  
APPLN NO. 10/086,294  
ATTY DOCKET NO. 016930-003712US  
Attorney Docket No. 016930-003710US

### DECLARATION AND POWER OF ATTORNEY

As a below named ~~inventor~~ attorney declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMBINED TUMOR SUPPRESSOR GENE THERAPY AND CHEMOTHERAPY IN THE TREATMENT OF NEOPLASMS** the specification of which      is attached hereto or x was filed on February 17, 1998 as Application No. 09/024,932 and was amended on      (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Pri r Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u>    </u> No <u>    </u>
			Yes <u>    </u> No <u>    </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/038,065	February 18, 1997
60/047,834	May 28, 1997

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		<u>    </u> Patented <u>    </u> Pending <u>    </u> Abandoned
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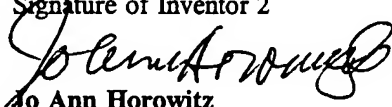
Kevin L. Bastian, Reg. No. 34,774  
Kenneth A. Weber, Reg. No. 31,677  
Gregory P. Einhorn, Reg. No. 38,440

Send Correspondence to: <b>Kevin L. Bastian</b> <b>TOWNSEND and TOWNSEND and CREW LLP</b> Tw Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: <b>Kevin L. Bastian</b> Reg. No.: <b>34,774</b> Telephone: <b>(415) 576-0200</b>
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<input checked="" type="checkbox"/>	Full Name of Inventor 1	Last Name <b>Nielsen</b>	First Name <b>Loretta</b>	Middle Name or Initial
	Residence & Citizenship	City <b>Millington</b>	State/Foreign Country <b>New Jersey</b>	Country of Citizenship <b>USA</b>
	Post Office Address	Post Office Address <b>60 Midvale Avenue</b>	City <b>Millington</b>	State/Country <b>New Jersey</b>
				Zip Code <b>07946</b>
<input checked="" type="checkbox"/>	Full Name of Inventor 2	Last Name <b>Horowitz</b>	First Name <b>Jo</b>	Middle Name or Initial <b>Ann</b>
	Residence & Citizenship	City <b>Kenilworth</b>	State/Foreign Country <b>New Jersey</b>	Country of Citizenship <b>USA</b>
	Post Office Address	Post Office Address <b>K-15-3-3315, 2015 Galloping Hill Road</b>	City <b>Kenilworth</b>	State/Country <b>New Jersey</b>
				Zip Code <b>07033-0539</b>
	Full Name of Inventor 3	Last Name <b>Maneval</b>	First Name <b>Daniel</b>	Middle Name or Initial <b>C.</b>
	Residence & Citizenship	City <b>San Diego</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>USA</b>
	Post Office Address	Post Office Address <b>12578 Cavallo Street</b>	City <b>San Diego</b>	State/Country <b>California</b>
				Zip Code <b>92130</b>
	Full Name of Inventor 4	Last Name <b>Demers</b>	First Name <b>G.</b>	Middle Name or Initial <b>William</b>
	Residence & Citizenship	City <b>San Diego</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>USA</b>
	Post Office Address	Post Office Address <b>12976 Carmel Creek Road #177</b>	City <b>San Diego</b>	State/Country <b>California</b>
				Zip Code <b>92130</b>

Full Name of Inventor 5	Last Name Rybak	First Name Mary	Middle Name or Initial Ellen	
Residence & Citizenship	City Warren	State/Foreign Country New Jersey	Country of Citizenship USA	
Post Office Address	Post Office Address 5 Chesterfield Drive	City Warren	State/Country New Jersey	Zip Code 07059
Full Name of Inventor 6	Last Name Resnick	First Name Gene	Middle Name or Initial	
Residence & Citizenship	City Scarsdale	State/Foreign Country New York	Country of Citizenship USA	
Post Office Address	Post Office Address 53 Secor Road	City Scarsdale	State/Country New York	Zip Code 10583

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Loretta Nielsen	Signature of Inventor 2  Jo Ann Horowitz	Signature of Inventor 3  Daniel C. Maneval
Date	Date April 23, 1998	Date
Signature of Inventor 4  G. William Demers	Signature of Inventor 5  Mary Ellen Rybak	Signature of Inventor 6  Gene Resnick
Date 4/15/98	Date May 23/1998	Date

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Attorney Docket No. 016930-003710US

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## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u>    </u> No <u>    </u>
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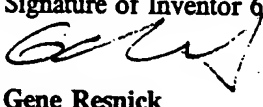

**Kevin L. Bastian, Reg. No. 34,774**  
**Kenneth A. Weber, Reg. No. 31,677**  
**Gregory P. Einhorn, Reg. No. 38,440**

Send Correspondence to: <b>Kevin L. Bastian</b> <b>TOWNSEND and TOWNSEND and CREW LLP</b> <b>Two Embarcadero Center, 8th Floor</b> <b>San Francisco, CA 94111-3834</b>	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  <b>Name: Kevin L. Bastian</b> <b>Reg. No.: 34,774</b> <b>Telephone: (415) 576-0200</b>
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Full Name of Inventor 1	Last Name Nielsen	First Name Loretta	Middle Name or Initial	
Residence & Citizenship	City Millington	State/Foreign Country New Jersey	Country of Citizenship USA	
Post Office Address	Post Office Address 60 Midvale Avenue	City Millington	State/Country New Jersey	Zip Code 07946
Full Name of Inventor 2	Last Name Horowitz	First Name Jo	Middle Name or Initial Ann	
Residence & Citizenship	City Kenilworth	State/Foreign Country New Jersey	Country of Citizenship USA	
Post Office Address	Post Office Address K-15-3-3315, 2015 Galloping Hill Road	City Kenilworth	State/Country New Jersey	Zip Code 07033-0539
Full Name of Inventor 3	Last Name Maneval	First Name Daniel	Middle Name or Initial C.	
Residence & Citizenship	City San Diego	State/Foreign Country California	Country of Citizenship USA	
Post Office Address	Post Office Address 12578 Cavallo Street	City San Diego	State/Country California	Zip Code 92130
Full Name of Inventor 4	Last Name Demers	First Name G.	Middle Name or Initial William	
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Post Office Address	Post Office Address 12976 Carmel Creek Road #177	City San Diego	State/Country California	Zip Code 92130

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Date	Date	Date
Signature of Inventor 4  G. William Demers	Signature of Inventor 5  Mary Ellen Rybak	Signature of Inventor 6  Gene Resnick
Date	Date	Date <u>4/20/98</u> 4/23/98 

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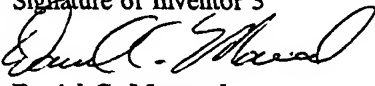
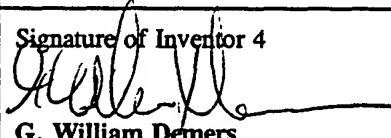
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Date	Date	Date 4/22/98
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Date 22 Apr 98	Date	Date

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